IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:- 08.09.2006

Coram:-

The Hon'ble Mr. Justice P.SATHASIVAM
and
The Hon'ble Mr. Justice S.MANIKUMAR

Writ Appeal No.579/2002 & W.P.No.41898/2002
& WPMP No.61921 of 2002

W.A.No.579 of 2002

P.Sathyabama ... Appellant

Vs.

1.The State of Tamil Nadu,
rep. by Secretary to Government,
Health and Family Welfare Department,
Fort St. George, Chennai-9.

2.Indian Medical Council,
rep. by its Secretary,
100 Feet Road, Vadpalani,
Chennai.

3.Dr. M.G.R. Medical University,
rep. by its Registrar,
Chennai.

4.The District Collector,
Kanyakumari District,
Nagercoil.

5.The Superintendent of Police,
Kanyakumari District at Nagercoil.

6.The Sub-Inspector of Police,
Kottar Police Station, Nagercoil,
Kanyakumari District.

7.Habeeb Electro Medical College
and Hospital,
404-A1, K.P.Road,
R.V.Puram, Nagercoil-629 001.

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8.Dr.Hakeem K.M.H. Mohammed Habeeb Najjar,
404-A1, K.P.Road,
R.V.Puram, Nagercoil. .. Respondents

W.P.No.41898 of 2002

K.Sriniramanujam ... Petitioner

Vs.

1.The State of Tamil Nadu,
rep. by Secretary to Government,
Health and Family Welfare Department,
Fort St. George, Chennai-9.

2.Indian Medical Council,
rep. by its Secretary,
100 Feet Road, Vadpalani,
Chennai.

3.Dr. M.G.R. Medical University,
rep. by its Registrar,
Chennai.

4.The District Collector,
Kanyakumari District,
Nagercoil.

5.Habeeb Electro Medical College
and Hospital,
404-A1, K.P.Road,
R.V.Puram, Nagercoil-629 001.
(Represented by its Principal &
Managing Director-cum-Correspondent
Dr.HakeemK.M.H. Mohammed Habeeb Najjaar) .. Respondents

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Writ appeal filed under Clause 15 of the Letters Patent against the order dated 24.09.2001 made in W.P.No.2989 of 2001.

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents 1 to 4 to initiate action against the fifth respondent under the relevant statute and forbearing him to running the institution and seal the premises Habeeb Electro Medical College and Hospital 404-A1 K.P.Road, R.V.Puram, Nagercoil-629 001 and allow the same with costs.

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For Appellant & Petitioner : No appearance

For Respondents 1,4,5&6 in WA.579/2002 & Respondents 1 & 4 in WP.41898/2002 : Mr.Viswanathan Government Advocate

* For Respondents 7 & 8 in WA.579/2002 : Mr.S.James

For Respondent 2 in WA.579/02 : Mr.P.Wilson

For Respondent 3 in WA.579/02 : Ms.A.L.Gandhimathi.

COMMON JUDGMENT

(Judgment of the Court was delivered by P.SATHASIVAM, J.)

` The writ appeal as well as writ petition are of the year 2002. The docket endorsements show that the appellant/petitioner were not interested in pursuing the above mattes and adjourned on several occasions. Even today, no one appears for the appellant as well as the writ petitioner though the counsel for the respondents is present.

2.Taking note of the relief prayed for and the reasoning of the learned single Judge, we are of the view that no purpose will be served by keeping these mattes on our file. Accordingly, both the writ petition as well as the writ appeal are dismissed for default. No costs. WPMP No.61921 of 2002 is also dismissed.

raa

Sd/15.9.2006
Asst.Registrar

Corrected Order to be issued.

Sd/-12.10.2006
Asst.Registrar

/true copy/

Sub Asst.Registrar

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To

1.The Secretary to Government,
State of Tamil Nadu,
Health and Family Welfare Department,
Fort St. George, Chennai-9.

2. The Secretary,
Indian Medical Council,
100 Feet Road, Vadpalani,
Chennai.

3.The Registrar,
Dr. M.G.R. Medical University,
Chennai.

4.The District Collector,
Kanyakumari District,
Nagercoil.

5.The Superintendent of Police,
Kanyakumari District at Nagercoil.

6.The Sub-Inspector of Police,
Kottar Police Station, Nagercoil,
Kanyakumari District.

Substituted order copy to go vide order already despatched on 5.10.2006.

1 cc To Mr.P.Wilson, Advocate, SR.41727.
1 cc To Mr.A.L.Gandhimathi,Advocate,SR.41988.
1 cc To Mr.S.James, Advocate, SR.41826.

W.A.No.579/2002 & W.P.No.41898/2002

LA(CO)
RVL 18.09.2006

dv/16.10.06

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